

1-11	Behavioral Supports	Part 1 of 4
Authorizing Utah Code: 62a-5-103	Rule: R539-6-12	Rights and Protections
Approved: 2/10/00	Rule Effective:	Printed: 4/00
Form(s): None	Guideline(s): Division Adaptive Behavior Guide	

POLICY

The primary purpose of behavioral supports is to help the **Person** to obtain outcomes desired and selected by the **Person** and to enjoy a satisfying life. All **Providers** must ensure that **Persons** receiving behavioral supports have an opportunity to participate in the home and community environment, to become engaged in meaningful activities, and to interact with peers, family, and staff.

Behavioral intervention procedures which utilize intrusive interventions shall be implemented only after the **Person/Representative** gives consent and the behavioral support plan has been approved by the **Team** and the **Human Rights Committee**.

All behavioral supports should emphasize a positive approach with effective treatment designed to acquire and maintain adaptive behaviors and prevent problem behaviors. The following procedures are prohibited:

1. Corporal punishment; examples: slapping, hitting, and pinching;
2. Demeaning speech to a **Person** which ridicules or is abusive;
3. Seclusion, defined as locked confinement in a room;
4. Use of electric devices or other painful stimuli used to manage behavior; and
5. Denial or restriction of access to personal belongings or assistive technology, except where removal prevents injury to self, others, or property.
6. Meals shall not be withheld or denied as a consequence or punishment for problem behavior.

PROCEDURES

1. Level I, II and III behavioral intervention procedures are specific techniques designed to increase or decrease behavior, the three levels are defined as:
 - A. Level I- Positive intervention procedures and withholding reinforcement which may include: teaching adaptive behaviors, positive reinforcement, reinforcement for alternative behavior, differential reinforcement, modeling, shaping, prompting, fading, graduated guidance, group reinforcement response contingency, token economy, environmental engineering, and extinction.
 - B. Level II*- Mildly intrusive procedures which may include: response cost, exclusionary time out from reinforcement, satiation, application of mildly noxious stimuli, and overcorrection which is under verbal control and does not allow physical contact with the person.
 - C. Level III*- include moderate and highly intrusive procedures defined as:
 - i. Moderately intrusive procedures may include: overcorrection which requires

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physical contact to gain compliance, enforced compliance, forced relaxation, and manual restraint.

- ii. Highly intrusive procedures may include: isolationary time out, application of a highly noxious stimuli, deprivation of sensory stimuli, and mechanical restraint

Refer to **Division** Policy 1-12, Emergency Behavioral Intervention for use of Level II and III intrusive interventions in emergency situations.

2. Level I behavioral intervention procedures may be used as:
 - A. a skill training program, (e.g., written instructions such as _____ prompting and reinforcement procedures); or
 - B. an informal intervention, (e.g., including procedures which occur throughout the day without a written plan such as positive reinforcement and modeling; specific behavioral procedures or suggestions written in a **Person-Centered Plan**).
3. Level I, II and III behavioral intervention procedures may be used as:
 - A. unanticipated responses in emergency situations, (e.g., physical restraint and enforced compliance); or
 - B. behavioral support plan, (e.g., written plan that contains several behavioral intervention procedures in a comprehensive multi-element approach).
4. Behavioral support plans are written instructions for **Provider** staff or other supporters designed to target specific problem behavior(s). Behavioral support plans are based on Functional Behavioral Assessments, consist of various behavioral intervention procedures, and include specific data collection and plan evaluation procedures.
5. Each **Provider Agency** shall develop written policies and procedures regarding behavioral support plans and behavioral intervention procedures which comply with **Division** guidelines. Behavioral support plans shall be written documents which include the following information:
 - A. A summary of the Functional Behavioral Assessment
 - i. describing the problem behavior,
 - ii. predicting the circumstances in which the problem behavior is most likely to occur, and
 - iii. Identifying the function of the problem behavior
 - B. Baseline data
 - C. Behavioral objective written in measurable and observable terms.
 - D. Behavioral intervention procedures clearly written in adequate detail to ensure consistent

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implementation by staff/supporters addressing the following areas:

- i. Prevention procedures designed to decrease the need for the problem behavior
 - ii. Planned responses and consequences for when the problem behavior occurs, this includes safety issues and efforts to minimize reinforcement for the problem behavior
 - iii. Teach or increase replacement behaviors
 - iv. When appropriate the behavioral support plan should also address generalization, maintenance, and fading procedures.
- E. When Level II and Level III- intrusive procedures are used, include a rationale for the use of intrusive procedures.
- F. Name and title of the employee(s) who developed the behavioral support plan and who is responsible for supervising the implementation of the plan
- G. Data collection procedures which measures progress toward the objective.
- H. Dates for review and program revisions in addition to required monthly progress notes.
- I. Graphed data of the primary problem behavior(s) updated at least every 3 months for visual analysis.
6. All behavioral support plans must include procedures for teaching or increasing replacement behavior(s) as an alternative to the problem behavior(s). These procedures may be written within the behavioral support plans or referenced in the behavioral support plans and detailed in a separate document but must include the target behavior, baseline, objective, intervention procedures, methods for data collection and evaluation related to the replacement behavior.
7. By January 2002 behavioral support plans that include Level II and Level III- intrusive procedures shall be reviewed and approved at least annually by a Behavior Peer Review Committee consisting of at least one Behavior Specialist from outside the **Provider Agency** approved by the **Division**. The same professional may meet both these requirements. Documentation of this review shall be available in the **Provider's** files with a copy sent to the **Support Coordinator**.
8. Written consent from the **Person/Representative** must be obtained prior to initiation of a behavioral support plans including any Level II and Level III- intrusive procedures. The consent shall last a maximum of one year.
9. Providers shall make a reasonable effort to prevent **Persons** receiving supports from injuring self and others. Specific guidelines need be included in the behavioral support plan to address safety. When it is anticipated Level II or III intrusive procedures will be needed to safely manage dangerous behavior, the specific procedures need to be detailed in the behavioral support plan.
10. All staff involved in implementing the behavioral support plan shall demonstrate competency in

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the plan prior to the plan's implementation. The written approved behavioral strategy shall be available to all staff involved in implementing or supervising the plan.

11. Before any Level II or III intrusive procedures may be used or approved for use, the use of Level I non-intrusive procedures shall be documented. The prior use of Level 1 procedures may not be required if justification can be provided to the **Human Rights Committee** that:
 - A. the **Person** has a long history of significant behavior difficulties;
 - B. that these difficulties preceded the provision of supports and services by that **Provider**; and
 - C. that no documentation of prior use of level one procedures can be found.
12. Functional Behavior Assessments may encompass many different processes and procedures and can vary from short and simple to long and complex depending on the complexity of the problem behavior(s). It is required that the assessment adequately describe the problem behavior, predict the circumstances in which the problem behavior is most likely to occur, and identify the function of the problem behavior in a way that is useful in developing the behavioral support plan. The Functional Behavior Assessment shall be available in the **Provider's** files. The assessment shall include who conducted the assessment, the date of the assessment, the tool or procedures used and relevant medical, ecological, and social factors which may contribute to the behavior.
13. Willful violation of this policy may result in civil or criminal consequences, including cancellation of **Provider** contract and fiscal penalties.
14. Definitions for the intervention procedures listed in "procedure 2." may be found in the **Division's** Habilitation and Adaptive Behavior Guidelines.